

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: AUGUST 6, 2008**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: RQR-28191 – APPLICANT/OWNER: AMS IV LAS VEGAS INVESTMENTS, LLC**

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**\*\* CONDITIONS \*\***

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to:

**Planning and Development**

1. Conformance to the Conditions of Approval for Variance (V-0184-95)
2. This Variance (V-0184-95) shall be reviewed in five (5) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
3. The property owner shall remove any existing graffiti from the Off-Premise Advertising (Billboard) Sign within 30 days of final approval by the City of Las Vegas. Failure to perform the required painting may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign. Thereafter, the sign its supporting structure shall be properly maintained and kept free of graffiti at all times.
4. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Variance shall be expunged and a new Off-Premise Advertising (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City of Las Vegas, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This application is a required five-year review of an approved Variance (V-0184-95) to allow a 144-foot separation distance from residentially-zoned property where 300 feet is the minimum separation required for an existing 14-foot x 48-foot Off-Premise Sign (Billboard). This is the second review of the Variance that allows the sign to be located at 4851 East Bonanza Road.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
02/15/95	The City Council approved a request for a reclassification of property (Z-0169-94) FROM: R-E (Residence Estates) Zone TO: C-1 (Limited Commercial) Zone on 5.19 acres located on the south side of Bonanza Road, approximately 1,300 feet west of Nellis Boulevard for a proposed 79,000 square-foot, two-story Mini-Storage Facility. The Planning Commission recommended approval on 01/26/95
02/28/95	The Board of Zoning Adjustment approved a Variance (V-0185-94) which allowed 10 rental trucks in conjunction with a mini-storage facility where such use is not allowed.
02/21/96	The City Council approved a Variance (V-0184-95) which allowed a 672 square-foot Off-Premise Sign (Billboard) to be 144 feet from a residentially zoned property where 300 feet is the minimum separation distance required, located at 4851 E Bonanza Road. The Board of Zoning Adjustment recommended approval on 01/23/96.
12/19/96	The Planning Commission approved a request for a Plot Plan and Building Elevation Review [Z-0169-94(1)] on property located at 4851 East Bonanza Road for a proposed Cellular Telephone Facility.
02/11/99	The Planning Commission approved a Site Development Plan Review [Z-82-98(1)] for a 31,144 square-foot Commercial Center on 3.31 acres, R-E (Residence Estates) Zone Under Resolution of Intent to C-1 (Limited Commercial) Zone.
02/21/01	The City Council approved a five-year Required Review [V-0184-95(1)] of an approved Variance which allowed a 14-foot by 48-foot Off-Premise (Billboard) Sign to be 144-feet from a residentially zoned property where 300 feet is the minimum separation distance required, located at 4851 E Bonanza Road
03/22/07	A Minor Site Development Plan Review (SDR-19651) was administratively approved by staff for a Wireless Communication Facility, Non-Stealth Design at 4851 East Bonanza Road.

08/23/07	A Minor Site Development Plan Review (SDR-23208) was administratively approved by staff for a co-location of additional antennas on an existing 100-foot tall Wireless Communication Facility, Non-Stealth Design at 4851 East Bonanza Road.
06/05/08	A Minor Site Development Plan Review (SDR-27665) was administratively approved by staff for a co-location of one additional antenna on an existing 100-foot tall Wireless Communication Facility, Non-Stealth Design at 4851 East Bonanza Road.
07/10/08	The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #7/mh).
<b>Related Building Permits/Business Licenses</b>	
8/14/96	A 225 Final Inspection was issued for permit #96-008760, under Plan Check #L-1034-96 for a 30-foot tall, 672 square-foot Off-Premise Sign (Billboard) located at 4851 East Bonanza Road.
<b>Pre-Application Meeting</b>	
A pre-application meeting is not required for this application.	
<b>Neighborhood Meeting</b>	
A neighborhood meeting is not required for this application, nor was one held.	

<b>Field Check</b>	
6/17/08	<p>A field check was carried out by staff with the following observations:</p> <ul style="list-style-type: none"> <li>The Off-premise Sign (Billboard) was found to be in good condition with no visible graffiti or bird nuisance problems.</li> <li>There are no embellishments, moving parts, or electronic message units currently mounted to the sign.</li> </ul>

East	Commercial	SC (Service	C-1 (Limited
<b>Details of Application Request</b>		Shopping Center	Commercial)
<b>Site Area</b>	US Highway 95	ROW (Right-of-	US Highway 95 and R-
Net Acres West	5.19 acres and Apartments	Way)/ M(Medium	3 (Medium Density
		Density Residential)	Residential)

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Commercial Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Commercial Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	US Highway 95/Lake Mead Boulevard Interchange	ROW (Right-of-Way)	ROW (Right-of-Way)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>		X	NA
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>		X	NA
<b>Trails</b>		X	NA
<b>Rural Preservation Overlay District</b>		X	NA
<b>Development Impact Notification Assessment</b>		X	NA
<b>Project of Regional Significance</b>		X	NA

## DEVELOPMENT STANDARDS

*Per Title 19.14.100, the following standards apply:*

<i>Standards</i>	<i>Code Requirement</i>	<i>Provided</i>	<i>Compliance</i>
Location	No Off-Premise Advertising (Billboard) Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas	Sign is not located within public right-of-way or within the exempted area of the Exclusionary Zone.	Y
Zoning	Off-Premise Advertising (Billboard) Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Located on C-1 zoned property	Y
Area	No Off-Premise Advertising (Billboard) Signs shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	672 square feet with no embellishments.	Y
Height	No higher than 40 feet from grade at the point of construction	40-foot tall sign	Y
Screening	All structural elements of an Off-Premise Advertising (Billboard) Sign to which the display panels are attached shall be screened from view.	Two-sided sign with screening of structural elements.	Y

Off-Premise Advertisement (Billboard)	At least 750 feet to another Off Premise Sign along the same frontage	2,025 feet from existing billboard located to the northeast.	Y
Off-Premise Advertisement (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	308 feet from R-MHP (Residential – Mobile Home Park) property located to the east.	Y
Other	All Off-Premise Advertising (Billboard) Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Sign is permanently attached on commercial property	Y

## ANALYSIS

This is the second review of a Variance (V-0184-95), which allowed a 14-foot x 48-foot Off-Premise Sign (Billboard) at 4851 East Bonanza Road. This Off-Premise Sign received its 225-Final Sign Inspection on 08/14/96 for permit #96-008760 issued under plan check #L-1034-96. There has not been any additional work regarding electronic lighting devices or moving parts since this approval. The initial Variance (V-0184-95) allowed a 672 square-foot Off-Premise Sign (Billboard) to be 144 feet from a residentially zoned property located to the north of the subject site where 300 feet is the minimum separation distance required. Since the approval of this Variance (V-0184-95), the property to the north of this site was rezoned (Z-0092-98) from an R-E (Residence Estates) zoning district to a C-1 (Limited Commercial) zoning district.

## FINDINGS

Staff finds that this existing Off-Premise Sign (Billboard) complies with all current required standards listed in Title 19.14.100 as there is no longer residentially-zoned property within 300 feet of the subject sign. The sign has been found to be in good condition, is located within the exempted area of the Off-Premise Sign Exclusionary Zone, and has an approved sign certificate; therefore, staff recommends approval of this review, subject to a five-year review.

## NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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## ASSEMBLY DISTRICT 14

**SENATE DISTRICT** 2

**NOTICES MAILED** 545 by City Clerk

**APPROVALS** 0

**PROTESTS** 1